



WISCONSIN STATE SENATE  
**DALE W. SCHULTZ**

**TO:** Representative Joel Kleefisch  
Members of the Assembly Criminal Justice Committee

**FROM:** Senator Dale Schultz

**RE:** AB 282 - Threatening School Personnel

**DATE:** May 23, 2007

---

Thank you Chairman Kleefisch and members for promptly considering Assembly Bill 282 and allowing Representative Albers, Reedsburg School Superintendent Tom Benson and I to appear before the committee today. Reedsburg Police Chief Timothy Becker planned to be here today, but is unfortunately attending a funeral.

During the past several years, it is been hard for some of us to watch and read news accounts of the devastation brought by acts of violence in schools. Last September, a tragic event in our area at Weston schools resulted in the shooting death of the school's principal, forever changing a family, a school district and a community.

The Weston incident struck very close to home for nearby school districts, prompting discussions on how to best prevent school violence and provide a safe school environment.

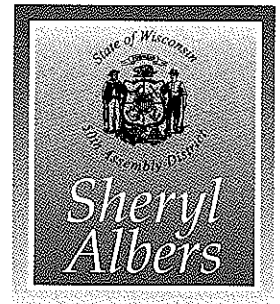
I believe that for the most part our schools are safe. Statistics even indicate that incidents of school violence are trending down. But when an event like Weston occurs, we rightly ask ourselves if we are doing everything possible to protect the safety of our children.

We are here today because the community of Reedsburg came together following that tragic event to identify areas where we can improve. Representative Albers and I were glad to partner with the community to introduce Assembly Bill 282.

Upon enactment, this legislation will give law enforcement a needed tool to effectively deal with a precursor to many acts of school violence – threats.

I can't tell you definitively that we would have avoided past tragedies if this bill had been in place, but I can tell you law enforcement needs every available tool to effectively deal with escalating situations before the onset of violence.

I sincerely appreciate the committee taking time to hear this bill, and I respectfully request the committee not delay in taking action. Now Representative Albers will explain the provisions of the bill in further detail.



Rep. Albers' Portion of Testimony on AB 282 to  
Assembly Criminal Justice Committee  
May 23, 2007

- Current law prohibits a person from causing bodily harm to a school district or technical college district employee if the person knows the victim is a district employee and they are acting in their official capacity at the time the harm occurs.
- However, unlike several other states, state law does not specifically criminalize a *threat* to intentionally cause bodily harm.
- AB 282 would prohibit a person from threatening to cause bodily harm to a tech college district or school district officer or employee if all of the following are true at the time the threat was made:
  1. the person making the threat knows or should have known that the victim is an tech college district or school district employee
  2. the district employee is acting in their official capacity or the threat is in response to action taken in their official capacity
  3. there is no consent by the person harmed or threatened
- If all of the above criteria are met, that person would be guilty of a class I felony.



## The Most Costly Injuries to Students and Visitors

In the December issue of *Wisconsin School News*, this column described the most costly injuries of school professional staff based on a Wausau Insurance study and provided tips on how to avoid these hazards. Wausau Insurance has also conducted a study identifying the most costly injuries among students and visitors of Wisconsin elementary and secondary schools when they are on school grounds or involved in school activities.

Based on this five-year study of 246 Wisconsin schools that resulted in injuries costing \$6,123,584, the following types of accidents were reported most often by Wisconsin elementary and secondary schools and were the most costly in terms of insurance claims:

- Assault or molestation — allegations of excessive force or an inappropriate contact;
- Discrimination — allegations of discrimination in hiring, job performance and student suspension strategies;
- Struck by or against objects — during student activities, recess and school projects.

School administrators need to develop and implement loss-prevention practices and procedures to help reduce the district's risk. The following are just a few guidelines that can help to minimize the most costly injuries. (More information can be found on the latest edition of *Making Wisconsin Schools Safer in 2006/2007*, a CD available free to WASB Insurance Plan members.)

### Visitors/students injured from assault or molestation

- Foster relationships with local law enforcement to gather information on crime trends in the area.

- Have written policies and procedures for investigating allegations of child molestation.
- Check the background of current and prospective employees.
- Establish and enforce a written sexual harassment policy that clearly states sexual harassment will not be tolerated and explains what types of conduct will be considered sexual harassment.
- Train all employees in aggressive behavior controls.
- Have a policy regarding the use of corporal punishment that complies with applicable state guidelines.
- Require visitors to have a visitor pass to enter and be in the school.
- Provide good lighting in all areas, both inside and out, including walkways and parking lots.
- Inspect and maintain outside lighting system regularly.
- Establish specific written procedures for dealing with students who exhibit aggressive behaviors.
- Encourage a team approach when confronting aggressive students.
- Provide two-way communication devices for employees who monitor detention areas.
- Establish written action plans in the event a student demonstrates aggressive behavior or makes an assault.
- Train and encourage teachers to use nonphysical discipline strategies to control student behavior.

### Visitors/students injured from allegations of discrimination

- Promote an environment of diversity.
- Inform students of their rights and responsibilities.

- Establish and utilize standard operating procedures when handling disputes or allegations regarding discrimination or student suspension.

### Visitors/students injured from being struck by or against objects

- Require students and visitors to wear proper personal protective equipment when appropriate or necessary.
- Provide appropriate safety-training programs to all employees.
- Design the layout of halls, rooms and aisles to allow for smooth traffic flow.
- Establish a procedure for inspection and maintenance of room fixtures and furnishings.
- Clearly mark all doors and entrances.
- Provide an adequate level of lighting.
- Review student construction projects to determine that appropriate supervision, applicable codes, safety standards, training activities and procedures are followed.
- Mark or pad obstructions that cannot be removed to reduce the possibility of contact or to reduce the injury if contact is made. ■

Steele is the loss prevention managing consultant for Wausau Insurance. Wausau Insurance is the Wisconsin Association of School Board's endorsed insurance carrier. For more information about school safety, contact Steele at Wausau Insurance Companies, 2000 Westwood Drive, Wausau WI 54401, phone (715) 847-8826 or e-mail Edward.Steele@wausau.com.